Chandka

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3689 OF 2007
IN
SUIT NO. 199 OF 1975

Nandkishore Singh & Ors. ..Plaintiffs
versus
Dhananjaysingh R. Singh & Ors. ..Defendants

Mr. S. Prabhu i/b. Mr. S. V. Masurkar for the Plaintiffs.

Mr. A. C. Singh i/b. Mr. D. R. Shah for the Defendant Nos. 2A, 2B, 2D and 2E.

CORAM : S. A. BOBDE, J.
DATE : 6TH DECEMBER, 2007.

P.C.

. Apparently the suit was dismissed against some defendants for want of service. However, it is rightly pointed out by Mr. Singh that the matter was earlier dismissed for default and had to be restored on that occasion also. Hence, having regard to the circumstances, the Notice of Motion is allowed subject to payment of costs of Rs.10,000/- to the defendants. Suit is restored to file.

(S. A. BOBDE, J.)